



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WILLIAM PATRICK APPS

Group Art Unit: 3727

Examiner: S. Castellano

Serial No.: 09/785,100

Filed: February 15, 2001

For: NESTABLE DISPLAY CRATE FOR BOTTLE CARRIERS

Attorney Docket No.: RPC 0559 PUS

**SECOND PRELIMINARY AMENDMENT**

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Sir:

Please amend the above-identified application as follows:

**In The Claims**

Please replace claims 1 and 3 as shown below, without prejudice. Please add new claims 6-51. Claims 2 and 4-5 remain unchanged.

A marked up version of amended claims 1 and 3 is attached to this Amendment.

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01 FC102 243.25 C1  
02 FC103 136.00 C1

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

May 14, 2001  
Date of Deposit

Konstantine J. Diamond  
Name of Person Signing

Konstantine J. Diamond  
Signature

1. (AMENDED) A low depth nestable display crate for bottle carriers comprising:

a floor for supporting the bottle carriers; and

a wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising

a lower wall portion including an exterior surface along said sidewalls, the lower wall portion further including interior bottle carrier support surfaces connected to said floor,

a double thickness upper wall portion comprising spaced tooth members extending upward from said lower wall portion and defining display openings between said tooth members along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate, and

a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion defining a cut-out, said cut-out providing said handle bar complete clearance below said handle bar, and complete clearance above said handle bar from a stacked crate thereabove, and provide sufficient clearance between said handle bar and the bottle carriers loaded in said crate to enable a user's hand to encircle said handle bar.

3. (AMENDED) The crate of claim 1, wherein said interior bottle carrier support surfaces of said lower wall portion have openings disposed therebetween.

6. (NEW) The crate of claim 1, wherein the spaced tooth members extending along said sidewalls have a trapezoidal shape.

7. (NEW) The crate of claim 1, wherein the spaced tooth members extending along said sidewalls are upwardly tapered.

8. (NEW) The crate of claim 1, wherein the lower wall portion along the sidewalls between the spaced tooth members has a flat interior surface.

9. (NEW) The crate of claim 1, wherein the lower wall portion along the sidewalls between the spaced tooth members includes an exterior wall member having an outer surface and an inner surface, the outer surface defined by said exterior surface, and the inner surface having a plurality of ribs extending perpendicularly therefrom.

10. (NEW) The crate of claim 1, wherein the lower wall portion between the spaced tooth members has a top surface extending between the exterior surface and the interior surface.

11. (NEW) The crate of claim 10, wherein the top surface is generally flat.

12. (NEW) The crate of claim 1, wherein the tooth members have an upper portion, and a bottom portion having a relatively greater width than the upper portion.

13. (NEW) The crate of claim 1, wherein the exterior surface of the lower wall portion is solid.

14. (NEW) The crate of claim 1, wherein said tooth members include interior teeth panels provided on the interior side thereof, the interior teeth panels being generally coplanar with the interior bottle carrier support surfaces.

15. (NEW) A low depth nestable display crate for bottle carriers comprising:  
a floor having an upper surface for supporting the bottle carriers, and a lower surface; and

a pair of opposed endwalls and a pair of opposed sidewalls extending around the periphery of said floor,

the sidewalls comprising a sidewall lower wall portion having an exterior surface and further having interior bottle carrier support surfaces connected to said floor, the sidewalls further comprising a double thickness upper wall portion including spaced-apart sidewall tooth members extending upwardly from said sidewall lower wall portion and defining display

openings between said sidewall tooth members, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate,

the endwalls comprising a handle bar integrally molded with endwall tooth members and an endwall lower wall portion including a cut-out, said cut-out providing said handle bar clearance below said handle bar, and clearance above said handle bar from a stacked crate thereabove, and provide sufficient clearance between said handle bar and the bottle carriers loaded in said crate to enable a user's hand to completely encircle said handle bar.

16. (NEW) The crate of claim 15, wherein said tooth members include interior teeth panels provided on the interior side thereof, said teeth panels being flat to provide lateral support to the bottle carriers loaded in said crate.

17. (NEW) The crate of claim 15, wherein said tooth members include interior teeth panels provided on the interior side thereof, the interior teeth panels being generally coplanar with the interior bottle carrier support surfaces.

18. (NEW) The crate of claim 15, wherein said interior surfaces of said sidewall lower wall portion have openings disposed therebetween.

19. (NEW) The crate of claim 15, wherein said tooth members along the sidewalls extend above and inwardly from said sidewall lower wall portion to form a shoulder therebetween.

20. (NEW) The crate of claim 15, further comprising nesting ribs provided within at least one of said tooth members to bear against a top surface of a corresponding tooth member in a crate nested therebelow.

21. (NEW) The crate of claim 15, wherein the spaced tooth members extending along said sidewalls have a trapezoidal shape.

22. (NEW) The crate of claim 15, wherein the spaced tooth members extending along said sidewalls have an upper edge with at least one rounded portion.

23. (NEW) The crate of claim 15, wherein the sidewall lower wall portion between the spaced tooth members has a top surface extending between the exterior surface and the interior surface.

24. (NEW) The crate of claim 23, wherein the top surface is generally flat.

25. (New) The crate of claim 15, wherein the tooth members have an upper portion, and a bottom portion having a relatively greater width than the upper portion.

26. (NEW) The crate of claim 15, wherein the interior bottle carrier support surfaces are defined by flat panels.

27. (NEW) The crate of claim 15, wherein the sidewall lower wall portion between the spaced tooth members includes an outer wall member having an outer surface and an inner surface, the outer surface defined by said exterior surface, and the inner surface having a plurality of ribs extending inwardly perpendicular therefrom.

28. (NEW) A low depth nestable display crate for bottle carriers comprising:  
a floor having an upper surface for supporting the bottle carriers, and a lower surface; and

a wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising

a lower wall portion including an exterior surface along said sidewalls and interior portions connected to said floor upper surface, wherein the exterior surface and the interior portions are connected by at least one member extending therebetween,

a double thickness upper wall portion comprising spaced tooth members extending upwardly from said lower wall portion and defining display openings between said

tooth members along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate, and

a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion defining a cut-out, said cut-out providing said handle bar with complete clearance below said handle bar, and complete clearance above said handle bar from a stacked crate thereabove.

29. (NEW) The crate of claim 28, wherein the at least one member extending between the exterior surface and the interior portions is a lower wall top surface.

30. (NEW) The crate of claim 29, wherein the lower wall top surface is generally flat.

31. (NEW) The crate of claim 28, wherein the lower wall portion along the sidewalls between the spaced tooth members includes an exterior wall member having an outer surface and an inner surface, the outer surface defined by said exterior surface, and the inner surface having a plurality of ribs extending perpendicularly therefrom.

32. (NEW) The crate of claim 28, wherein the exterior surface along the sidewalls is solid.

33. (NEW) The crate of claim 28, comprising interior teeth panels provided on the interior side of said tooth members, said teeth panels being flat to provide lateral support to the bottle carriers loaded in said crate.

34. (NEW) The crate of claim 28, comprising interior teeth panels provided on the interior side of said tooth members, and having a cut-out disposed below the interior teeth panels.

35. (NEW) The crate of claim 28, wherein said tooth members extend above and inwardly from said lower wall portion along the sidewalls to form a shoulder therebetween.

36. (NEW) The crate of claim 28, further comprising nesting ribs provided within at least one of said tooth members to bear against a top surface of a corresponding tooth member in a crate nested therebelow.

37. (NEW) The crate of claim 28, wherein the spaced tooth members extending along said sidewalls have a trapezoidal shape.

38. (NEW) The crate of claim 28, wherein the spaced tooth members extending along said sidewalls have an upper edge with at least a portion thereof being rounded.

39. (NEW) The crate of claim 28, wherein the tooth members have an upper portion, and a bottom portion having a relatively greater width than the upper portion.

40. (NEW) A low depth nestable display crate for six-pack bottle carriers comprising:

a floor for supporting the bottle carriers; and

a wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising

a lower wall portion including an exterior wall member along said sidewalls, the exterior wall member having an outer surface and an inner surface, the inner surface having a plurality of rib members projecting perpendicularly therefrom, the lower wall portion further having interior portions for supporting bottle carriers, the interior portions connected to said floor,

an upper wall portion comprising spaced tooth members extending upward from said lower wall portion and defining display openings between said tooth

members along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate, and

a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion defining a cut-out, said cut-out providing said handle bar clearance below said handle bar, and clearance above said handle bar from a stacked crate thereabove, and provide sufficient clearance between said handle bar and the bottle carriers loaded in said crate to enable a user's hand to encircle said handle bar.

41. (NEW) The crate of claim 40, comprising interior teeth panels provided on the interior side of said tooth members, said teeth panels being flat to provide lateral support to the bottle carriers loaded in said crate.

42. (NEW) The crate of claim 40, wherein said interior portions of said lower wall portion have openings disposed therebetween.

43. (NEW) The crate of claim 40, wherein said tooth members extend above and inwardly from said lower wall portion to form a shoulder therebetween.

44. (NEW) The crate of claim 40, further comprising nesting ribs provided within at least one of said tooth members to bear against a top surface of a corresponding tooth member in a crate nested therebelow.

45. (NEW) The crate of claim 40, wherein the spaced tooth members extending along said sidewalls have a trapezoidal shape.

46. (NEW) The crate of claim 40, wherein the spaced tooth members extending along said sidewalls have an upper edge defined at least partially by a rounded surface.

47. (NEW) The crate of claim 40, wherein the tooth members have an upper portion, and a bottom portion having a relatively greater width than the upper portion.



48. (NEW) The crate of claim 40, wherein the exterior surface of the exterior wall member is solid.

49. (NEW) The crate of claim 40, wherein the plurality of rib members connect the exterior wall member and the interior portions.

50. (NEW) A low depth nestable display crate for six-pack bottle carriers comprising:

a floor for supporting the bottle carriers; and

a doubled thickness wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising

a lower wall portion including an exterior surface along said sidewalls, and further including interior bottle carrier support surfaces connected to said floor,

an upper wall portion comprising spaced tooth members extending upward from said lower wall portion and defining display openings between said tooth members along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate, and

a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion defining a cut-out, said cut-out providing said handle bar complete clearance below said handle bar, and complete clearance above said handle bar from a stacked crate thereabove, and provide sufficient clearance between said handle bar and the bottle carriers loaded in said crate to enable a user's hand to completely encircle said handle bar.

51. (NEW) A low depth nestable display crate for bottle carriers comprising:

- a floor for supporting the bottle carriers; and
- a wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising
  - a lower wall portion including an exterior surface along said sidewalls, the lower wall portion further including interior bottle carrier support surfaces connected to said floor,
  - a double-walled upper wall portion comprising tooth members spaced apart from each other and extending upwardly from said lower wall portion, the tooth members having an upper surface with at least a portion thereof being rounded, the spaced apart tooth members defining display openings therebetween along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers loaded in the crate, and
  - a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion along the end walls including a cut-out for providing said handle bar complete clearance below said handle bar, and complete clearance above said handle bar from a stacked crate thereabove.

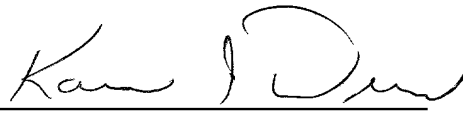
**Remarks**

Applicant respectfully requests entry of this Preliminary Amendment. If a telephone conference would in any way expedite allowance of this application, the Examiner is invited to contact the undersigned.

Respectfully submitted,

**WILLIAM PATRICK APPS**

By



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Attorney/Agent for Applicant

Date: May 14, 2001

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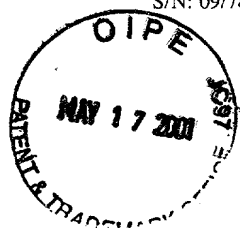
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Attachment — VERSION WITH MARKINGS TO SHOW CHANGES MADE



## VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (AMENDED) A low depth nestable display crate for [six-pack] bottle carriers comprising:

a floor for supporting the bottle carriers; and

a [doubled thickness] wall structure having endwalls and sidewalls extending around the periphery of said floor and comprising

a lower wall portion including [a solid] an exterior surface along said sidewalls, [and] the lower wall portion further including interior bottle carrier support surfaces connected to said floor,

[an] a double thickness upper wall portion comprising spaced tooth members extending upward from said lower wall portion and defining display openings between said tooth members along said sidewalls, wherein said display openings are sized to reveal labels on the bottle carriers for displaying the bottle carriers in a loaded crate, and

a handle bar integrally molded with said tooth members along said endwalls and said lower wall portion[, said handle bar configured for complete clearance above and below said handle bar] defining a cut-out, said cut-out providing said handle bar complete clearance below said handle bar, and complete clearance above said handle bar from a stacked crate thereabove, and provide sufficient clearance between said handle bar and the bottle carriers loaded in said crate to enable a user's hand [user] to [grasp] encircle said handle bar [in a palm-up or palm down orientation].

3. (AMENDED) The crate of claim 1, wherein said interior bottle carrier support surfaces [surface] of said lower wall portion have openings disposed therebetween [includes an alternating arrangement of interior panels connected to said floor and cut-outs].